



# The Gazette of India

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## NOTICE

The undermentioned *Gazettes of India Extraordinary* were published upto the 31st December 1954:—

Issue No	No. and date	Issued by	Subject
302	S. R. O. 3651, dated the 27th December, 1954.	Ministry of Commerce and Industry.	No person shall enter into any forward contract for sale and purchase of any commercial grade of shellac and seedlac without the permission of Government.
303	S. R. O. 3652, dated the 27th December, 1954.	Ministry of Labour.	Fixation of the minimum rates of wages to employees specified therein, employed by the All India Radio, Madras, Calcutta, Cuttack, Gaubati, Patna, Indore, etc.
	S. R. O. 3653, dated the 27th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed by the All India Radio, Poona.
	S. R. O. 3654, dated the 27th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed by the Films Division, Bombay.
	S. R. O. 3655, dated the 27th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed in the Cantonment Boards specified therein.
	S. R. O. 3656, dated the 27th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed in the Western Railway.

Issue No.	No. and date	Issued by	Subject
	S. R. O. 3657, dated the 27th December, 1954.	Ministry of Labour	Fixation of the minimum rates of wages to employees specified therein, employed in the Integral Coach Factory, Perambur, Madras.
	S.R.O. 3658, dated the 27th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed in the Eastern Railway.
	S. R. O. 3659, dated the 27th December, 1954.	Ditto	Fixation of the minimum rates of wages to agricultural employees specified therein, employed under the authority of the Ministry of Defence.
304	S. R. O. 3660, dated the 28th December, 1954.	Election Commission, India.	Amendment made in the notification No. 56/2/53-2, dated the 6th February 1953.
305	S.R.O. 3661, dated the 29th December, 1954.	Ministry of Finance (Revenue Division)	Prohibition of the taking of wool obtained from sheep and produced in India, by sea or by land out of India with effect from 1st February 1955.
306	S.R.O. 3662, dated the 10th December, 1954.	Election Commission, India.	Election Petition No. 252 of 1952.
307	S. R. O. 3663, dated the 20th December 1954.	Ministry of Labour	Fixation of the minimum rates of wages to employees specified therein, employed in the Southern Railway.
	S. R. O. 3664, dated the 21st December 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed in the Central Public Works [Department in the States] of Bombay, [Rajasthan] and Ajmer.
	S. R. O. 3665, dated the 21st December 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed in the North-Eastern Railway in Uttar Pradesh and Bihar.
	S. R. O. 3666, dated the 21st December 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed in the Northern Railway passing through the State of Rajas- than.

Issue No.	No. and date	Issued by	Subject
	S. R. O. 3667, dated the 28th December, 1954.	Ministry of Labour	Corrigendum to notification No. LWI-24 (74), dated the 12th November 1951 published in the Gazette of India, Part II—Section 3, dated the 24th November 1951.
308	S. R. O. 3668, dated the 29th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed under the authority of the Cochin Port Administration.
	S. R. O. 3669, dated the 29th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed under the local authority administering the Port of Calcutta.
	S. R. O. 3670, dated the 29th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed under the local authority administering the Port of Calcutta.
	S. R. O. 3671, dated the 29th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed under the local authority administering the Port of Bombay.
309	S. R. O. 3672, dated the 30th December, 1954.	Ministry of Information and Broadcasting.	The Central Government certifies certain films to be of the description specified therein.
310	S. R. O. 3673, dated the 30th December, 1954.	Ministry of Labour	Fixation of the minimum rates of wages to employees specified therein, employed in the Hirakud Dam Project, Sambalpur, Orissa.
	S. R. O. 3674, dated the 30th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed in the Central Water and Power Research Station, Khadakwasla.
	S. R. O. 3675, dated the 30th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed under the authority of the Ministry of Defence.

Issue No.	No. and date	Issued by	Subject
	S. R. O. 3676, dated the 30th December, 1954.	Ministry of Labour	Fixation of the minimum rates of wages to employees specified therein, employed under the authority administering the Port of Calcutta.
	S. R. O. 3677, dated the 30th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed under the authority administering the Port of Calcutta.
	S. R. O. 3678, dated the 30th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed under the authority administering the Port of Madras.
	S. R. O. 3679, dated the 30th December, 1954.	Ditto	Fixation of the minimum rates of wages to employees specified therein, employed under the authority administering the Port of Madras.
	S. R. O. 3680, dated the 30th December, 1954.	Ditto	Fixation of the minimum rates of wages to agricultural employees specified therein, employed under the authority of the Ministry of Food and Agriculture.
	S. R. O. 3681, dated the 30th December, 1954.	Ditto	Fixation of the minimum rates of wages to Agricultural employees specified therein, employed under the authority of the Ministry of Defence.
311	S. R. O. 3682, dated the 29th December, 1954.	Election Commission, India.	Notice regarding grant of leave to Shrimati Sadhana Shastri to withdraw the election petition dated the 16th July 1954.
	S. R. O. 3683, dated the 29th December, 1954.	Ditto	Civil Appeal No. 157 of 1954.
312	S. R. O. 3684, dated the 31st December, 1954.	Ministry of Commerce and Industry.	Corrigendum to notification No. S. R. O. 3651, dated the 27th December 1954.
313	S. R. O. 3685, dated the 31st December, 1954.	Ditto	Indian Export allotment of tea for the financial year 1954-55.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

### PART II—SECTION 3

#### Statutory Rules and Orders issued by the Ministers of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

##### ELECTION COMMISSION, INDIA

New Delhi, the 31st December 1954

**S.R.O. 58.**—It is hereby notified for general information that the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), incurred by the persons whose names and addresses are given below, as notified under notification No. MD-P/52(72), dated the 13th May, 1952 have been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section 144 of the said Act respectively:—

Shri Karimi Narayananappalanajdu,  
Vedullavalasa, Polaki P. O.

Shri Vandana Satyanarayana,  
C/o Shri Remamurti Naidu, Advocate, Srikakulam.

[No. MD-P/52(3).]

By order,  
P. N. SHINGHAL, Secy.

##### MINISTRY OF HOME AFFAIRS

New Delhi, the 29th December 1954

**S.R.O. 59.**—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby directs that the following further amendment shall be made in the rule regarding the signing of orders and other instruments made and executed in the name of the President, published in the notification of the Government of India, in the Ministry of Home Affairs, No. S.R.O. 167, dated the 19th June 1950, namely:—

In clause (4) of the said rule, the words “the Director of Telephones in the Posts and Telegraphs Directorate; or the District Manager, Telephones; or” shall be added at the end.

[No. 34/20/54-Public(I).]

FATEH SINGH, Dy. Secy.

New Delhi, the 3rd January 1955

**S.R.O. 60.**—The following Orders made by the President are published for general information.

##### ORDERS

In pursuance of clause (3) of Article 77 of the Constitution of India, I Rajendra Prasad, President of India, make the following Order:—

- (1) The Ministry of Home Affairs and the Ministry of States shall, with effect from the 10th January, 1955, be combined in one Ministry to be known as the Ministry of Home Affairs.
- (2) All business at present transacted by the Ministry of Home Affairs or the Ministry of States shall be allocated to the Ministry of Home Affairs.

RAJENDRA PRASAD,  
President.

[No. 34/21/54-Public (I).]

A. V. PAI, Secy.

New Delhi, the 4th January 1955

**S.R.O. 61.**—In exercise of the powers conferred by sub-section (2) of section 63 of the Andhra State Act, 1953 (30 of 1953), the President hereby directs that the following amendment shall be made in the Order of the Government of India in the Ministry of Home Affairs, No. S.R.O. 1616, dated the 18th May, 1954 namely:—

In the Schedule to the said Order, under the heading “Madras Revenue Department”, the entries in columns (1) and (2) relating to Mirza Md. Baig Salmani shall be omitted.

[No. 26/4/53-I-AIS(I).]

**S.R.O. 62.**—In exercise of the powers conferred by sub-section (2) of section 63 of the Andhra State Act, 1953 (30 of 1953), the President hereby directs that the following amendments shall be made in the Order of the Government of India in the Ministry of Home Affairs, No. S.R.O. 2836, dated the 28th August, 1954, namely:—

In the Schedule to the said Order, under the heading “Police and Fire Services Department, Madras”—

(a) after the entries relating to State Service Officers, headed “Non-gazetted officers” the following serial numbers and entries in columns 1, 2 and 3 against them shall be inserted, namely:—

8(a) Sri K. Subbairaju . . . . .	Officiating Inspector of Police	Allotted
8(b) Sri M. Jagannadha Rao . . . . .	Officiating Inspector of Police	Allotted
44(a) Sri K. Viswanadham . . . . .	Officiating Inspector of Police	Allotted
54(a) Sri K. C. Gnananandula Sarma . . . . .	Officiating Inspector of Police	Allotted
95(a) Sri S.A. Haq . . . . .	Officiating Inspector of Police	Allotted
95(b) Sri E. N. Purushotham . . . . .	Officiating Inspector of Police	Allotted
110(b) Sri K. Nagabhushanam . . . . .	Officiating Inspector of Police	Allotted
110(c) Sri G. Hanumatha Naidu . . . . .	Officiating Inspector of Police	Allotted
110(d) Sri K. Ranga Rao . . . . .	Officiating Inspector of Police	Allotted
110(e) Sri I. Dathathreyulu Naidu . . . . .	Officiating Inspector of Police	Allotted
170(b) Sri J. Jalayya . . . . .	Officiating Upper Division Clerk	Allotted
170(c) Sri A.N. Ekambaram . . . . .	Lower Division Clerk	Allotted
311(a) Sri B. Pulliah . . . . .	Officiating Inspector of Police	Allotted
338(a) Sri V. Venkatramana . . . . .	Officiating Inspector of Police	Allotted
338(b) Sri M. Ch. Krishna Rao . . . . .	Officiating Inspector of Police	Allotted
358(a) Sri E. Venkatapathi Rao . . . . .	Officiating Inspector of Police	Allotted
358(b) Sri Md. Andul Khader . . . . .	Officiating Inspector of Police	Allotted
358(c) Sri T.J. Solomon . . . . .	Officiating Inspector of Police	Allotted
358(d) Sri T. Somasundaram . . . . .	Officiating Inspector of Police	Allotted

(b) under the sub-heading “SPECIAL BRANCH, C.I.D., MADRAS”—

(i) for the entry in column (1) against serial number 39, the following entry shall be substituted, namely:—

“180 Ramaiah”; and

(ii) for the entry in column (1) against serial number 43, the following entry shall be substituted, namely:—

“1494 Ramanaiah”.

(c) under the sub-heading “X. BRANCH, C.I.D., MADRAS”—

(i) for the entry in column (2) against serial number 87, the following entry shall be substituted, namely:—

“Police Constable 489”

(d) under the sub-heading “Office of the Superintendent, Government Railway Police, Madras”—

(i) serial number 3 and the entries relating thereto [in columns (1), (2) and (3) against that serial number (relating to M1. Hussain)] shall be omitted; and

(ii) serial numbers 4 and 5 shall be re-numbered as serial numbers 3 and 4 respectively.

[No. 26/4/53-II-AIS (1)]

N. N. CHATTERJEE, Dy. Secy.

*New Delhi, the 4th January 1955*

**S.R.O. 63.**—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby exempts Shri Khen-chung L. Gyaltsen, Monk leader of the Tibetan Trade Mission at Kalimpong from all the prohibitions and directions contained in sections 6, 10 and 13 to 15 of the said Act in respect of one .38 bore revolver.

[No. 9/86/54-Police-I.]

N. SAHGAL, Dy. Secy.

### MINISTRY OF STATES

*New Delhi, the 30th December 1954*

**S.R.O. 64.**—In exercise of the powers conferred by clause (1) of article 239 of the Constitution, the President hereby directs that all orders and other instruments made and executed in the name of the Chief Commissioner of Kutch shall be authenticated by the signature of the Chief Secretary, a Secretary or an Assistant Secretary, in any of the departments of Government in the State of Kutch.

[No. 142-PA.]

S. NARAYANSWAMY, Dy. Secy.

### MINISTRY OF FINANCE

(Department of Economic Affairs)

*New Delhi, the 31st December 1954*

**S.R.O. 65.**—In pursuance of section 5 of the Rehabilitation Finance Administration Act, 1948 (XII of 1948), the Central Government hereby reconstitutes the Advisory Board of the Rehabilitation Finance Administration which shall consist of the following members, namely:—

1. Shri Thakur Das Bhargava, M.P. Lok Sabha.
2. Shri Achint Ram, M.P. Lok Sabha.
3. Shri Yudhvir Singh, M.L.A. (Delhi).
4. Shri Amolakh Chand, M.P. Rajya Sabha.
5. Shri Awadheshwar Prasad Sinha, M.P. Lok Sabha.
6. Shri Choithram P. Gidwani, M.P. Lok Sabha.
7. Shrimati Bina Bhownick, Katwa—Burdwan. (West Bengal).
8. Shri Jagannath Mazumdar, M.L.A. Krishnagar. (West Bengal).
9. Shri Rabindra Nath Sikdar, M.L.A. Jalpaiguri. (West Bengal).
10. Shri Priyaranjan Sen, M.L.A. (West Bengal).
11. Shri Umesh Lal Singh (Tripura).
12. Shri Rohini Kumar Choudhuri, M.P. Lok Sabha.
13. Shrimati Kalyani Dutt, Dhubri (Assam).
14. Shri B. K. Das, M.P. Lok Sabha.

[No. F.7(45)F.III/54.]

N. C. SEN GUPTA, Dy. Secy.

### RESERVE BANK OF INDIA

(Central Office)

*Bombay, the 27th December 1954*

**S.R.O. 66.**—In pursuance of the Notification of the Government of India in the Ministry of Finance, No. 12(12)-F1/49, dated the 10th September, 1949, the Reserve Bank of India hereby directs that the following amendments shall be made in the

notification of the Reserve Bank, No. F.E.R.A. 87/49-RB, dated the 10th September, 1949, namely:

1. For clause (iii) of the said notification of the Reserve Bank, the following shall be substituted, namely:—

"(iii) to bring into the States from Burma currency notes which are legal tender in India without limit, provided that the notes are of "Ashoka Pillar" design.

2. In clause (iv), the words "or Burma" shall be omitted".

B. RAMA RAU, Governor.

[No. F.E.R.A.136/54-R.B.]

**MINISTRY OF FINANCE (REVENUE DIVISION)**

**INCOME-TAX**

*New Delhi, the 29th December 1954*

**S.R.O. 67.**—In exercise of the powers conferred by sub-section (4) of section 46A of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government hereby directs that the following amendments shall be made in the Income-tax (Tax Clearance Certificates) Rules, 1953, namely:—

**Amendment**

For Forms A, B, C and E annexed to the said Rules, the following Forms shall be substituted, namely:—

"FORM A.

Folio No.

GOVERNMENT OF INDIA

To

The Income Tax Officer,

Foreign Section \_\_\_\_\_

1. Full name (in block letters) .....

2. Name of Father (or Husband) .....

3. \*Passport No./Emergency Certificate No. .....

\*(i) The above mentioned applicant has been assessed/is assessable by me up to ..... He/She \* has

\*(a) no liabilities outstanding

\*(b) made satisfactory arrangements for the payment of taxes due/which may become due in respect of the assessments upto date/upto ..... under the Indian Income Tax Act, 1922 (XI of 1922), the E.P.T. Act, 1940 (XV of 1940), or the B.P.T. Act, 1947 (XXI of 1947). He/She\* may accordingly be issued a Clearance Certificate in Form C.

\*(ii) The above mentioned applicant is assessable in my jurisdiction. He/She\* intends travelling abroad leaving India by Air/Sea/Land\* from ..... As he/she\* intends to return to India, he/she\* may be given an Exemption Certificate in Form E.

Valid for presentation to Income-tax Officer (Foreign Section) within one month from date of issue.

Place .....

Date .....

Income-tax Officer  
Designation."

Seal \_\_\_\_\_

\*Strike out the words and/or para. which are not applicable.

## FORM B

FORM OF APPLICATION FOR A CERTIFICATE UNDER SECTION 45A(1) OF  
THE INDIAN INCOME TAX ACT, 1922

To

The Income-tax Officer,  
Foreign Section —

Sir,

I request that a \*Tax Clearance Certificate/an Exemption Certificate be granted to me.

I give below the necessary particulars:—

1. Full name of applicant (in block letters) \_\_\_\_\_
2. Name of Father (or Husband) \_\_\_\_\_
3. Domicile and Nationality \_\_\_\_\_
4. Nature of Business, Profession or Vocation, etc. in India \_\_\_\_\_
5. Name of Income-tax Circle in which assessed and the G.I.R. No. (if known) \_\_\_\_\_
6. Whether exemption is claimed under any section of the Act: if so, which \_\_\_\_\_
7. Place(s) at which the Business, Profession or Vocation is/was carried on \_\_\_\_\_
8. Date of arrival in India (when where the previous visits made and what were the periods of stay in each case) \_\_\_\_\_
9. Destination of the journey \_\_\_\_\_
10. Designation of the I.T.O., if any, who made the last assessment on the applicant \_\_\_\_\_
11. Probable date of departure \_\_\_\_\_
12. Mode of travel (by \*Air/Sea/Land) \_\_\_\_\_
13. Date of intended return, if any \_\_\_\_\_

I declare that to the best of my knowledge and belief, the information furnished in the application is correct, complete and is truly stated.

Yours faithfully,  
(Applicant)

Place \_\_\_\_\_

Date \_\_\_\_\_

## FORM C

Folio No.

## GOVERNMENT OF INDIA

CLEARANCE CERTIFICATE UNDER SECTION 46A(1) OF THE INDIAN  
INCOME TAX ACT, 1922 (XI of 1922)

1. Full name (in block letters) \_\_\_\_\_
2. Name of Father (or Husband) \_\_\_\_\_
3. Passport No /Emergency Certificate No. \_\_\_\_\_

This is to certify that the above mentioned applicant has  
\*\*“(a) no liabilities outstanding,

\*Delete whichever is inappropriate.

\*“(b) made satisfactory arrangements for the payment of taxes which are or may become payable under the Indian Income-tax Act, 1922 (XI of 1922), the E.P.T. Act, 1940 (XV of 1940), the Business Profits Tax Act, 1947 (XXI of 1947).

This certificate is valid for 3/12 months from the date of issue.

Place \_\_\_\_\_  
Date \_\_\_\_\_

Income Tax Officer,  
Foreign Section

Seal

\*Strike out the para. which is not applicable.

FORM E

Certificate No.

GOVERNMENT OF INDIA

EXEMPTION CERTIFICATE UNDER PROVISO TO SECTION 46A(1) OF THE INDIAN INCOME TAX ACT, 1922 (XI of 1922)

1. Full name (in block letters) \_\_\_\_\_

2. Name of Father (or Husband) \_\_\_\_\_

3. Passport No. /Emergency Certificate No. \_\_\_\_\_

This is to certify that the above mentioned applicant who intends to travel abroad is exempted from producing a Clearance Certificate under section 46A(1) of the Indian Income-tax Act, 1922 (XI of 1922), in respect of the journey/journeys to be undertaken within 3/12 months from date.

Place \_\_\_\_\_

Date \_\_\_\_\_

Income Tax Officer  
Foreign Section

Seal

[No. 77.]

New Delhi, the 31st December 1954

S.R.O. 68.—In exercise of the powers conferred by sub-section (1) of section 46A of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Finance (Revenue Division), No. S.R.O. 961, dated the 25th May, 1953, namely:—

In the said notification for item 3, the following item shall be substituted:—

- “3. (a) all persons who are for the time being holding any civil post under the Union or a State or a local authority, and all persons who are for the time being holding posts connected with defence;
- (b) all persons whose salaries or emoluments are fixed by law or are specified in the Second Schedule to the Constitution or are determined under article 186 or 221 read with article 238(8) and 238(13) respectively;
- (c) the wives of the persons referred to in clauses (a) and (b);
- (d) British officers and other ranks proceeding ex-India or termination of their contract of service with the Government of India and the wives of such officers.”

[No. 78.]

G. L. POPHALA, Dy. Secy.

New Delhi, the 31st December 1954

S.R.O. 69.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Government has appointed Shri K. P. Sinha to be a Commissioner of Income-tax with effect from the 24th December 1954.

[No. 80.]

K. B. DEB, Under Secy.

## CUSTOMS

New Delhi, the 8th January 1955

**S.R.O. 70.**—The following draft of certain rules which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (VIII of 1878), is published as required by sub-section (3) of section 43B of the said Act, for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration after the expiry of a period of a fortnight from the date of this notification.

Any objection or suggestion which may be received by the undersigned from any person with respect to the said draft before the expiry of the said period will be considered by the Central Government.

## DRAFT RULES

1. **Short title.**—These rules may be called the Customs Duties Drawback (Provisions) Rules, 1955.

2. **Definitions.**—In these rules, unless the context otherwise requires—

- (a) 'the Act' means the Sea Customs Act, 1878 (VIII of 1878);
- (b) 'dextrose' means dextroglucose, in powder form, imported into India on payment of customs duty;
- (c) 'provisions' means packed dextrose, with or without added ingredients, colours or flavours;
- (d) 'quarter' means a period of three months beginning with the first day of January, the first day of April, the first day of July, or the first day of October;
- (e) 'registered manufacturer' means a manufacturer of provisions registered under rule 5; and
- (f) 'section' means a section of the Act.

3. **Provisions in respect of which drawback may be allowed.**—Subject to the provisions of the Act and these rules, a drawback shall be allowed in the case of dextrose used by a registered manufacturer in the manufacture of provisions exported out of India or shipped as stores for use on board a ship proceeding to a foreign port.

4. **Period for which drawback permissible.**—A drawback under these rules shall be admissible for the period during which a notification under sub-section (1) of section 43B in respect of the provisions is in force.

5. **Registration of manufacturer.**—(1) A drawback admissible under these rules shall apply only in respect of the provisions manufactured by a person registered under, and for the purposes of these rules, by the Chief Customs Authority or any Chief Customs Officer authorised in this behalf by the Chief Customs Authority (hereinafter referred to as the authorised Chief Customs Officer).

(2) An application for registration shall be made by a manufacturer of provisions to the Chief Customs Authority, or, where a Chief Customs Officer has been authorised under the last preceding sub-rule, to such authorised Chief Customs Officer.

(3) Such application shall specify the brands or varieties of the provisions in respect of which registration is required, and shall, in respect of each such brand or variety furnish the description and quantity of different materials used in the manufacture of one dozen uniform packets of specified weight or such other convenient quantity as the Customs Collector thinks fit, of each type or brand of the provisions.

(4) The Chief Customs Authority or the authorised Chief Customs Officer as the case may be, may, if satisfied that the requirements of sub-rule (3) have been fulfilled, register the applicant as a manufacturer for the purpose of these rules.

(5) The registered manufacturer shall not alter the composition or formula of any brand or variety of the provisions without the prior permission of the Chief Customs Authority or the authorised Chief Customs Officer, as the case may be.

(6) Any registered manufacturer contravening the provisions of the last preceding sub-rule shall be liable to have his registration cancelled, in addition to any other penalty to which he may be liable under the Act and these rules.

**6. Rate of drawback.**—(1) Where the Customs Collector is satisfied that the claim for a drawback is established under these rules, such drawback shall be paid at the rate specified in sub-rule (2).

(2) The rate of drawback of duty admissible under these rules on the shipment of provisions in the prescribed manner shall be seven-eighths of the average amount of customs duty paid on dextrose used in the manufacture of any brand or variety of provisions, and the drawback shall be determined every quarter on the basis of statements furnished by the registered manufacturer and duly verified by a Customs Officer of the average value of dextrose used in the manufacture of provisions and the duty paid thereon, during the preceding six months or any longer period as the Customs Collector may deem necessary.

(3) The drawback so determined shall be in force for the quarter in respect of which it has been determined under sub-rule (2) and shall apply to shipments made during that quarter from any port in India.

**7. Manner of allowing drawback.**—(1) A drawback shall be allowed on the shipment of the provisions from any port in India subject to the following conditions, namely,

(a) the shipper of the provisions shall make a declaration on the relative shipping bill,

(i) that a claim for the drawback under section 43B is being made, and  
 (ii) that to the best of his knowledge and belief, the composition of the provisions and the proportion of dextrose used in the manufacture of the provisions have not been altered subsequent to registration except in accordance with the provisions of sub-rule (5) of rule 5;

(b) the shipper shall, in addition to information required under section 29, furnish in the shipping bill such additional information as may, in the opinion of the Customs Collector, be necessary for verifying the claim for a drawback and in particular, the Customs Collector may require such additional information in respect of the following matters, namely:—

(i) the description of the provisions;  
 (ii) the name of the registered manufacturer, his registration number and the authority or officer with whom he has registered;  
 (iii) the particulars of any brand or trade-mark attached to the provisions;  
 (iv) the weight of the provisions.

(2) No drawback shall be allowed on the shipment of provisions in respect of which the composition or formula has been varied contrary to the provisions of sub-rule (5) of rule 5.

**8. Powers of Customs Collector.**—For the purposes of enforcing these rules, the Chief Customs Officer or the Customs Collector may require—

(a) a registered manufacturer to produce any books of accounts or other documents of whatever nature relating to the proportion and quantity of different materials used in the manufacture, and the value of, and duty paid on, dextrose used in such manufacture;

(b) any person who has been concerned at any stage with the provisions to produce any books of accounts or other documents of whatever nature relating to the provisions; and

(c) the production of such certificates, documents and other evidence in support of each claim of drawback as may, in his opinion, be necessary.

**9. Access to manufactory.**—A registered manufacturer of provisions in respect of which a drawback is claimed under these rules shall be bound to give access to every part of his manufactory to an officer of the Central Government, specially authorised in this behalf by the Chief Customs Officer or the Chief Customs Authority, as the case may be, to enable such authorised officer to inspect the processes of manufacture and to verify by actual check or otherwise the statements made in support of the claim for a drawback.

## CENTRAL BOARD OF REVENUE

## CUSTOMS

New Delhi, the 30th December 1954

**S.R.O. 71.**—In exercise of the powers conferred by clause (b) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), as applied to the French Establishments in India, the Central Board of Revenue hereby declares that the limits of the ports of Pondicherry and Karikal shall be as follows:—

*Port of Pondicherry*

*North.*—A line drawn due east from the boundary pillar erected on the sea-shore 550 metres north of the Pondicherry Pier to 10 fathoms of water.

*South.*—A line drawn due east from the boundary pillar erected on the sea-shore 650 metres south of the Pondicherry Pier to 10 fathoms of water.

*East.*—A line drawn from the eastern extremities of the north and south limits.

*West.*—A line parallel to the shore 50 yards above high-water-level at spring-tide, from the northern boundary pillar to the southern boundary pillar, measuring approximately 1200 metres.

*Port of Karikal*

*North.*—A line drawn due east from the boundary pillar erected on the sea-shore in Keelaveli 800 yards to the north of the mouth of the Arasalar river to 10 fathoms of water.

*South.*—A line drawn due east from the boundary pillar erected on the sea-shore in Akkaraiavattam village 520 yards to the South of the mouth of the Arasalar river to 10 fathoms of water.

*East.*—A line drawn from the eastern extremities of the north and south limits.

*West.*—A line parallel to the shore and 50 yards above high-water-mark at spring-tide from the northern boundary pillar to the southern boundary pillar and including the northern bank of the Arasalar river from its mouth up to the masonry bridge 2040 yards to the west thereof.

[No. 174.]

**S.R.O. 72.**—In exercise of the powers conferred by clauses (c) and (d) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), as applied to the French Establishments in India, the Central Board of Revenue hereby

- (i) appoints the places in the ports of Pondicherry and Karikal specified in the first column of the following table to be wharves for the landing of the classes of goods specified in the second column of the said table, and for the shipping of the classes of goods specified in the third column of the said table; and
- (ii) declares that the limits of the wharves appointed under clause (i) shall be as specified in the fourth column of the said table.

## SCHEDULE

Name of place.	For the landing of	For the shipping of	Limits of wharves.
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*Port of Pondicherry*

1. North Wharf	All goods except explosives, petrol and combustibles.	All goods allowed on import.	The foreshore from the Port Office to a point 350 metres north.
2. Sought Wharf	All goods except explosives, combustibles and petrol.	All goods allowed on import.	The foreshore from the Port Office to a point 350 metres south.

Name of place	For the landing of	For the shipping of	Limits of wharves
3. Hazardous goods wharf.	Explosives and combustibles only.	Explosives and combustibles only.	The foreshore of the village Depuycet commencing from the south eastern extremity of the warehouse which is situated approximately 100 metres south of the Southern boundary pillar of the port and extending to a point 350 metres south.
<i>Port of Karikal</i>			
1. East Wharf	All goods	All goods	The foreshore opposite to the Light House extending from the mouth of the Arasalar river to a point 100 yards north.
2. Passenger Wharf	Passengers' baggage.	Passengers' baggage	The wooden jetty, measuring 22' x 11'-6' on the northern bank of the Arasalar river in front of the Port Office.
3. Oil Wharf	Kerosene Oil	Nil	Four pipe connections fixed on the northern bank of the Arasalar river within a length of 60 yards from east to west and in front of the Standard Vacuum Oil Company installation.
4. West Wharf	All goods except explosives and combustibles.	All goods allowed on import.	Northern bank of the Arasalar river opposite to the godowns belonging to the Madura Company and Hajec Moona Thambi Saiboo Maricair.

[No. 175.]

**S.R.O. 73.**—In exercise of the powers conferred by clause (f) of section 11 of the Sea Customs Act, 1878 (VIII of 1878), as applied to the French Establishments in India, the Central Board of Revenue hereby declares that the premises described in paragraph 1 below shall, for the purposes of the said Act, be deemed to be a custom-house at the port of Pondicherry and that the limits of the said custom-house shall be as in paragraphs II and III below:—

- I. The Flagstaff building (Mat de Pavillon) and compound bounded on the north by Dupleix Square, on the east by COURS CHABROL (Beach Road), on the south by the French War Memorial and on the west by Dupleix Square.
- II. North side godown, verandah and open space in building No. 6 belonging to Mr. Hajee Mohamed Sultan, bounded on the north by the building belonging to the late Mr. N. Selvaradjalou Chettiar and occupied by Savana Mills, on the east by COURS CHABROL, on the south by Ranga Pille Street and on the west by the open space and building belonging to the late Mr. N. Selvaradjalou Chettiar and occupied by Ralli Bros.
- III. Building No. 1, located on Range Pille Street belonging to the late Mr. N. Selvaradjalou Chettiar comprising one block of three compart-

ments (one large and two small), under occupation by Messrs. Messageries Maritimes, Steamer Agents, and the "broken packages godown" facing east in Beach Road under the control of the present stevedore, *viz.* Messrs. Selvaradjalou Padmini, Sole Proprietrix, and daughter of the late Mr. N. Selvaradjalou Chettiar, bounded on the north by the premises of M. M. Dourcissamy Petit Fils, on the south by the Government Salt Yard and the godown belonging to the late Mr. N. Selvaradjalou Chettiar, on the east by COURS CHABROL, and on the west by St. Martin Street.

[No. 176.]

**S.R.O. 74.**—In exercise of the powers conferred by section 9 of the Sea Customs Act, 1878 (VIII of 1878), as applied to the French Establishments in India, the Chief Customs authority hereby directs that the following amendment shall be made in its notification No. 135—Customs, dated the 1st November, 1954, namely:—

In clause (iv) of the said notification, for the words "All Superintendents", the words "All Principal Appraisers, Appraisers, Superintendents" shall be substituted.

[No. 177.]

W. SALDANHA, Secy.

## INCOME TAX

New Delhi, the 31st December 1954

**S.R.O. 75.**—In pursuance of sub-section (4) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that with effect from the 3rd day of January, 1955, the following further amendments shall be made in its notification No. 32—Incometax, dated the 9th November, 1946, namely:—

In the Schedule appended to the said Notification under the sub-head 'II Bombay City' for the Ranges and Incometax Circles and Wards specified against them, the following Ranges, Incometax Circle and Wards shall be substituted, namely:—

Range	Incometax Circles & Wards
Bombay 'A'.	A-I Ward. A-II Ward. Special Survey Circle VI. Foreign Section.
Bombay 'B'.	Companies Circle II. Companies Circle III. Special Survey Circle II. Special Survey Circle III.
Bombay 'C'.	C-III Ward. C-IV Ward. Special Survey Circle V.
Bombay 'D'.	B-II Ward. B-III Ward. Bombay Suburban District.
Bombay 'E'.	Bombay Circles I to XVI. Companies Circle I. D-I Ward.

Range	Incometax Circles & Wards
Bombay 'F'.	Central Circles I to V. C-I Ward. M-Ward. Special Survey Circle IV.
Bombay 'G'.	E-Ward. Special Survey Circle I. C-II Ward. Central Circles VI to XIV.
Bombay 'H'.	B-I Ward. Salaries Branch I. Salaries Branch II. A-V Ward.
Bombay 'K'.	G-Ward. Non-residents Refund Circle. Bombay Refund Circle. Special Investigation Branch. D-II Ward. Special Circle I. Special Circle II.
Bombay 'L'.	A-III Ward. A-IV Ward. Companies Circle IV.

2. Where an Income-tax Circle stands transferred by this notification from one Range to another, appeals arising out of assessments made in that Income-tax Circle, and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from which that circle is transferred, shall on and from the 3rd January 1955 be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to which the said Circle is transferred.

[No. 79.]

**S.R.O. 76.**—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Incometax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that Shri K. P. Sinha, who has been appointed by the Central Government to be a Commissioner of Incometax, shall perform his functions under the said Act in respect of the areas comprised (1) in the States of Kutch and Saurashtra and (2) in the Incometax Circle specified in the Schedule hereto annexed:

Provided that he shall also perform his functions in respect of such persons or such cases as have been or may be assigned by the Central Board of Revenue to any Incometax authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Incometax authority outside his jurisdictional areas.

#### SCHEDULE

1. Nasik Circle.
2. Jalgaon Circle.
3. Dhulia Circle.
4. Surat Circle.

5. Navsari Circle.
6. Breach Circle.
7. Nadiad Circle.
8. Godhra Circle.
9. Baroda Circle.
10. Petlad Circle.
11. Special Survey Circle II, Baroda.
12. Mehsana Circle.
13. Patan Circle.
14. Circle I, Ahmedabad.
15. Circle II, Ahmedabad.
16. Circle III, Ahmedabad.
17. Special Circle, Ahmedabad.
18. Special Circle I, Ahmedabad.
19. Special Circle II, Ahmedabad.
20. Special Survey Circle I, Ahmedabad.
21. Special Investigation Branch, Ahmedabad.
22. Kadi Circle.
23. Palanpur Circle.
24. Amreli Circle.
25. Virangam Circle.
26. Central Circle I, Ahmedabad.
27. Central Circle II, Ahmedabad.

This notification shall be deemed to have taken effect on the 24th December 1954.

[No. 81.]

K. B. DEB, Under Secy.

#### CUSTOMS

New Delhi, the 8th January 1955

**S.R.O. 77.**—In exercise of the powers conferred by clause (c) of Section 9 of the Sea Customs Act, 1878 (VIII of 1878), the Central Board of Revenue hereby makes the following rule namely:—

#### RULE

If any person seeks to claim under section 40 of the Sea Customs Act, 1878 (VIII of 1878), a repayment of the whole or any part of the customs duty or charges paid by him, he shall make a claim in writing in that behalf to a Customs Collector of the port at which duty was paid within three months from the date of such payment.

[No. 3.]

JASJIT SINGH, Secy.

#### MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 25th December 1954

**S.R.O. 78.**—In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1948 (XXIV of 1948), the Central Government hereby directs that the following further amendments shall be made in the Cotton Textiles (Control) Order, 1948, namely:—

In the said Order, in sub-clause (1) of clause 21—

I. paragraphs (ii) and (iii) shall be renumbered as paragraphs (iii) and (iv), and after paragraph (i) the following shall be inserted, namely:—

“(ii) three quarter bales containing not less than 876 yards and not more than 1025 yards; or”

II. in the first proviso, for the words "full, half and quarter bales" the words "full, three-quarter, half and quarter bales" shall be substituted.

[No. 9(4)-CT(A)/54-10.]

*New Delhi, the 31st December, 1954*

**S.R.O. 79.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following further amendment shall be made in the Cotton Textiles (Control) Order, 1948, namely:—

In the said Order, in the proviso to paragraph (a) of sub-clause (3) of clause 21, for the word and figure "December 1954" the word and figure "June 1955" shall be substituted.

[No. 9(4)-CT(A)/54-9.]

*New Delhi, the 8th January 1955*

**S.R.O. 80.**—In exercise of the powers conferred by sub-clause (i) of clause 5 of the Cotton Textiles (Export Control) Order, 1949, the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the late Ministry of Commerce No. 67-C.W. (25A)/48, dated the 26th March, 1949, namely:—

In the said notification, in item (ii) of sub-paragraph (1) of paragraph 2, after the words "manufacturer's distinguishing number" the words "or the mill number" shall be inserted.

[No. 46(34)-C.T.(A)/52-23.]

P. V. S. SARMA, Under Secy.

*New Delhi, the 31st December 1954*

**S.R.O. 81.**—In pursuance of clause (c) of rule 2 of the Development Council (Procedural) Rules, 1952, the Government of India are pleased to appoint with effect from the forenoon of the 17th December 1954, Shri Gyan Chandra, a Technical Officer (Sugar), in the Directorate of Sugar and Vanaspati in the Ministry of Food and Agriculture to officiate as Secretary to the Development Council established by the order of the Government of India in the Ministry of Commerce and Industry S.R.O. No. 892, dated the 12th March, 1954, for the Scheduled Industry engaged in the manufacture and production of sugar *vide* Shri T. Prasad.

[No. 5(7)IA(G)/54.]

P. S. SUNDARAM, Under Secy.

### Indian Rubber Board

#### RUBBER CONTROL

*New Delhi, the 3rd January 1955*

**S.R.O. 82.**—In exercise of the powers conferred by clause (a) of sub-section (4) of Section 12 of the Rubber (Production and Marketing) Act, 1947 (XXIV of 1947), the Indian Rubber Board hereby fixes the periods from 1st January to 30th September 1955 and from 1st October 1955 to 31st March 1956 as the periods in respect of which assessments shall be made for the period January 1955 to March 1956, of the amount of duty of excise fixed under the Notification of the Government of India in the late Ministry of Industry and Supply No. 23(5)-IRP/47, dated the 30th September, 1947, as amended by that Ministry's Notification No. 23(5)-IRP/47, dated the 21st October, 1947.

[No. 44(55/56).]

P. N. RAMACHANDRAN, Secy.

#### TEA CONTROL

*New Delhi, the 4th January 1955*

**S.R.O. 83.**—In exercise of the powers conferred by section 4 of the Tea Act, 1953 (29 of 1953), the Central Government hereby directs that the following

further amendment shall be made in the Notification of the Government of India, in the Ministry of Commerce and Industry No. S.R.O. 944 dated the 17th March, 1954, namely—

In the said Notification—

in the category of members representing Parliament, after entry No. 37, the following entry shall be made, namely—

“38. Shrimati Lilavati Munshi, Member, Rajya Sabha.”

[No. 48(2)Plant/54.]

S. KRISHNASWAMY, Dy. Secy.

**MINISTRY OF FOOD & AGRICULTURE**  
(Agriculture)

*New Delhi, the 28th December 1954*

**S.R.O. 84.**—Shri Alluri Satyanarayana Raju, Member of Parliament, Jinnur Post, Narasapur Taluk, West Godavari District (Andhra) is nominated a member of the Indian Central Coconut Committee upto the 31st March, 1957, under Section 4(b) of the Indian Coconut Committee Act, 1944.

Shri Jagannatha Rao, B.A., M.Sc., Cotton-cum-Oilseeds Specialist, Agricultural Research Station, Nandyal (Andhra), is nominated a member of the Indian Central Coconut Committee upto 31st March, 1957, under Section 4(d) of the Indian Coconut Committee Act, 1944.

[No. F.21-14/54-Com-I.]

*New Delhi, the 4th January 1955*

**S.R.O. 85.**—In pursuance of the provisions of sub-section (f) of section 4 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), the State Government of Punjab (India), have nominated Shri Munshi Ram Galhotra, Commission Agent, Fazilka, District Ferozpur (Punjab), to be a member of the Indian Central Oilseeds Committee with effect from the 1st April, 1954.

[No. F.6-3/54-Com-I.]

**S.R.O. 86.**—In pursuance of the provisions of sub-section (e) of section 4 of the Indian Oilseeds Committee Act, 1946 (IX of 1946), the State Government of Punjab (India), have renominated Shri H. R. Saini, Director of Agriculture, Punjab (India), to be a member of the Indian Central Oilseeds Committee with effect from the 1st April, 1954.

[No. F.6-3/54-Com-I.]

**S.R.O. 87.**—In exercise of the powers conferred by section 4(4)(v) of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government hereby appoints Shri J. N. Chowdhuri of village and post office Nimtita, District Murshidabad, to be a member of the Governing Body of the Indian Lac Cess Committee to represent cultivators of lac in West Bengal with effect from 1st October, 1954, vice Shri A. P. Mandal.

[No. F.4-6/54-Com-I.]

F. C. GERA, Under Secy.

**CORRIGENDUM**

*New Delhi, the 4th January 1955*

**S.R.O. 88.**—In the Ministry of Food and Agriculture notification No. F.5-66/53-Dte.II, dated 18th October, 1954, regarding amendment in the Tobacco Grading and Marking Rules 1937, published as S.R.O. 3257, on page 2477 in Part II Section 3 of the Gazette of India, dated 23rd October 1954, the following corrections shall be made:—

In the said Rules:—

In schedule II part (4):—

In the column ‘colour’ against the grade ‘Bits’ the words “light orange” shall be inserted between the words “yellow to” and “light brownish”.

[No. F.5-66/53-Dte.II.]

SWAMI DAYAL OBEROI, Under Secy.

## MINISTRY OF HEALTH

New Delhi, the 28th December 1954

**S.R.O. 89.**—The following draft of further amendment in the Drugs Rules, 1945, which it is proposed to make, after consultation with the Drugs Technical Advisory Board, in exercise of the powers conferred by section 12 of the Drugs Act, 1940 (XXIII of 1940), is published, as required by the said section, for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration after the 1st February, 1955.

2. Any objection or suggestion which may be received from any person, with respect to the said draft, before the date specified above, will be considered by the Central Government.

*Draft Amendments.*

In the said Rules,—

(1) after the proviso to rule 36 the following further proviso shall be added, namely:—

“Provided further that any drug imported for personal use but not forming part of bona fide personal baggage, may be allowed to be imported subject to the following conditions, namely:—

- (i) the licensing authority, on an application made to it in Form 12A, is satisfied that the drug is for bona fide personal use;
- (ii) the quantity to be imported is reasonable in the opinion of the licensing authority and is covered by a prescription from a registered medical practitioner; and
- (iii) the licensing authority grants a permit in respect of the said drug in Form 12B; and

(2) in Schedule A, after Form 12, the following Forms shall be inserted, namely:—

## FORM 12-A

(See rule 36, second proviso)

*Application for the issue of a permit to import small quantities of drugs for personal use.*

I ..... resident of ..... by occupation ..... hereby apply for a permit to import the drugs specified below for personal use from....

2. I attach a prescription from a registered medical practitioner in regard to the need for the said drug.

Names of drugs

Quantities

Date.....

Signature.....

## FORM 12-B

(See rule 36, second proviso)

*Permit for the import of small quantities of drugs for personal use.*

..... of ..... is hereby permitted to import from ..... the drugs specified below for personal use.

2. This permit is subject to the conditions prescribed in the Rules under the Drugs Act, 1940.

3. This permit shall, unless previously suspended or revoked, be in force for a period of six months from the date specified below:—

Names of drugs

Quantities which may be imported.

Date.....

Licensing Authority.”

[No. F. 1-36/54-Ds.]

KRISHNA BIHARI, Under Secy

## CORRIGENDUM.

New Delhi, the 8th January 1955

**S.R.O. 90.**—For the words “Dr. Vasudeva Narayan” occurring in this Ministry’s notification No. IMC/3/5, dated the 20th October 1954, the words “Dr. Basu-deva Narayan” should be substituted.

[No. IMC/3/5/1.]

BABU RAM, Under Secy.

## MINISTRY OF COMMUNICATIONS

New Delhi, the 12th October 1954

**S.R.O. 91.**—In exercise of the powers conferred by Section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Aircraft Rules, 1937, the same having been previously published as required by section 14 of the said Act, namely:—

In rule 8 of the said Rules—

(a) for clause (c) of sub-rule (2) the following clause shall be substituted, namely:—

“(c) any other goods the carriage of which is authorised in writing by the Central Government, in accordance with and subject to the terms and conditions of such authorization.”

and

(b) sub-rule (5) shall be re-numbered as sub-rule (6) and before sub-rule (6) as so renumbered the following sub-rule shall be inserted, namely:—

“(5) Every consignor of goods by air, other than a consignor to whom sub-rule (4) applies shall make a written declaration to the effect that the consignment does not contain any goods of the nature specified in sub-rule (1) and shall furnish the same to the air-carrier.”

[No. 10-A/74-53.]

K. V. VENKATACHALAM, Dy. Secy.

## (Posts and Telegraphs)

New Delhi, the 28th December 1954

**S.R.O. 92.**—In paragraph 2 of the notification of the Government of India in the Ministry of Communications (Posts and Telegraphs), No. H. 16-31/54 (S.R.O. 2958), dated the 8th September 1954, published at page 2211 of the Gazette of India, Part II Section 3, dated the 11th September, 1954, the following amendments shall be made, namely:—

- (1) After the expression “Ordinary adhesive or embossed postage stamps of the above description”, the expression “including postal stationery, e.g., postcards, envelopes, bearing printed matter,” shall be inserted.
- (2) For the words “three months”, the words “six months” shall be substituted.

The Notification cited above referred to as amended is reproduced below:—

**S.R.O. 2958.**—It is hereby notified for general information that ordinary (public) and Service postage stamps including postcards, envelopes, etc. bearing the effigy of His Late Majesty King George V or His Late Majesty King George VI will, with effect from the 1st October 1954, not be accepted in prepayment of postage or telegraph charges or other sums chargeable under the Indian Post Office Act, 1898 (VI of 1898), or the Indian Telegraph Act, 1885 (XIII of 1885).

2. Ordinary adhesive or embossed postage stamps of the above description including postal stationery, e.g., postcards, envelopes, bearing printed matter may, however, be exchanged for current stamps of equivalent value free of cost at Indian Post Offices and Service postage stamps at Government Treasuries within six months from the aforesaid date, provided they are unused and unspoiled.

[No. H.16-81/54.]

V. M. BHIDE, Dy. Secy.

New Delhi, the 30th December 1954

**S.R.O. 93.**—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government hereby directs that the following further amendment shall be made in the Indian Post Office Rules, 1933, namely:—

In clause (b) of rule 183 of the said rules, for the words "and Visva Bharati", the words, "Vishva Bharati and Sri Venkateswara University at Tirupati" shall be substituted.

[No. C.24-10/54.]

H. C. SHARMA, Under Secy.

New Delhi, the 31st December 1954

**S.R.O. 94.**—In exercise of the powers conferred by rule 53 of the Indian Aircraft Rules, 1920, as kept in force by the notification of the Government of India in the late Department of Industries and Labour, No. V-26, dated the 23rd March, 1937, the Central Government hereby rescinds the notifications of the Government of India in the late Departments of Industries and Labour No. T. 120, dated the 14th December, 1935, and Posts and Air, No. 26-V(2)/45 dated the 25th October, 1945, respectively, declaring the civil aerodromes at Juhu (Bombay) and Visakhapatnam to be customs aerodromes.

[No. 10-A/61-54.]

**S.R.O. 95.**—In exercise of the powers conferred by rule 160 of the Indian Aircraft Rules, 1937, the Central Government hereby directs that during the period from the 1st January, 1955 to 31st December 1955, the following concessions shall be admissible to candidates for the grant of a Commercial Pilot's 'B' Licence, namely:—

1. Every such candidate shall be permitted to re-appear not more than thrice (instead of twice) for examination in any of the groups of the technical examination specified in paragraph 3 of Section C in Schedule II to the said Rules, in which he has failed.
2. The total period during which any such candidate shall pass in all the groups of the said technical examination shall be one year (instead of six months) from the date of the first successful examination.
3. The flying tests specified in Section 'C' of Schedule II to the said Rules shall continue to be carried out within a maximum period of two months from the date of the first test undertaken and together with the technical examinations specified in that Section shall be completed within the overall period of 12 months from the date of the first successful examination (instead of nine months) preceding the date of receipt in Director General of Civil Aviation's Office of complete papers for the issue of the Licence.

[No. 10-A/90-54.]

#### ORDER

**S.R.O. 96.**—In exercise of the powers conferred by rule 160 of the Indian Aircraft Rules, 1937, the Central Government hereby exempts for a further period up to the 30th June, 1955, all persons in charge of aircraft engaged in international navigation, from the operation of clause (V) of sub-rule (2) of rule 7 of the said Rules, in so far as it requires such persons to carry in the said aircraft, the aircraft and engine log books subject to the condition that the working copies of the aforesaid documents are carried in the said aircraft.

[No. 10-A/45-54.]

D. R. KOHLI, Under Secy.

## MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 30th December 1954

**S.R.O. 97.**—In exercise of the powers conferred by section 4 and sub-section (1) of section 29 of the Petroleum Act, 1934 (XXX of 1934), the Central Government hereby directs that the following further amendments shall be made in the Cinematograph Film Rules, 1948, the same having been previously published as required by sub-section (2) of the said section 29, namely:—

In the said Rules—

(1) in the third column of Article 3 of Schedule III, for the words and figures "exceeding 1000 pounds", the words and figures "exceeding 1000 pounds but not exceeding 6000 pounds" shall be substituted;

(2) in Form E,

(a) in the heading, for the words and figures "exceeding 1000 pounds", the words and figures "exceeding 1000 pounds but not exceeding 6000 pounds" shall be substituted;

(b) in condition 1, for the words and stroke "vault/vaults" the word "vault", shall be substituted;

(c) in each of the conditions 2 and 11, for the words "any vault", the words "the vault" shall be substituted; and

(d) in each of the conditions 7, 9 and 10, for the words "vaults", the word "vault" shall be substituted;

(3) In the Appendix to Form 'E'—

(a) in clause (v) for the words "Each vault" the words "The vault" shall be substituted;

(b) in sub-clause (a) of clause (vi), for the words "The vaults" and the "the vaults" the words "The vault" and "the vault" shall respectively be substituted.

[No. S&PII-102(8)/53.]

U. N. SRIVASTAVA, Under Secy.

## MINISTRY OF NATURAL RESOURCES AND SCIENTIFIC RESEARCH

New Delhi, the 31st December, 1954

**S.R.O. 98.**—In exercise of the powers conferred by section 5 of the Mines and Minerals (Regulation and Development) Act, 1948 (LIII of 1948), the Central Government hereby directs that the following further amendment shall be made in the Mineral Concession Rules, 1949, namely:—

For rule 66 of the said Rules, the following rule shall be substituted, namely:—

"66. Preference as between applications for prospecting license and mining lease.—

Where applications for both a prospecting license and a mining lease in respect of the same area are received on the same date or different dates within a period of thirty days, the application for a mining lease shall receive preference over the application for a prospecting license if the area was previously held and worked under a mining lease:

Provided that no such preference shall be given to the application for a mining lease if the application for a prospecting license was made earlier than the application for a mining lease by more than thirty days notwithstanding that the area is one which was previously held and worked under a mining lease."

[No. MII-159(16)/54.]

M. M. MALHOTRA, Under Secy.

## MINISTRY OF REHABILITATION

New Delhi, the 24th December, 1954

**S.R.O. 99.**—Corrigendum to Ministry of Rehabilitation's order No. 52(4)/52, Prop. I, dated the 22nd September, 1954—

For the name "M. K. Karmarkar" appearing in the Ministry of Rehabilitation's order No. 52(4)/52-Prop: I, dated the 22nd September, 1954, read "H. K. Karmarkar".

K. J. GEORGE, Under Secy.

New Delhi, the 3rd January 1955

**S.R.O. 100.**—Whereas the Central Government is of opinion that it is necessary to acquire certain evictee properties in the State of Rajasthan for the public purpose, being a purpose mentioned in sub-section (i) of section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, (44 of 1954).

Now, therefore, in exercise of the powers conferred by the said sub-section, it is notified that the Central Government has decided to acquire and hereby acquires, the evictee properties specified in the Schedules I & II hereto annexed.

## THE SCHEDULE I.

Serial No.	Custodian's No. of the property.	Name of evictee owner.	Description of the property.
1	2	3	4
<i>Ward No. 8—Mohalla Nagli (Alwar)</i>			
1.	330	Qazi Mohd. Yousaf	Bungalow with lawns, garrage and garden.
2.	378	Abdulla Contractor	Fruit trees, garden with independent well and pukka foundation for a house with constructed servant quarters
<i>Ward No. 8—Jati ki Baghichi (Alwar)</i>			
3.	289/1, 2 & 3	Noor Mohammed	Pukka house with one shop facing station Road near city Post Office.
4.	289/4	Mir Mohd.	Pukka house with two rooms and open courtyard.
5.	290-291-292	Allaud Din Khan	Double storeyed building with two shops facing station road near city Post Office.
6.	293	Abid Ali	Pukka house with one specious courtyard, one separate drawing room, double storeyed. Facing station road near city Post Office.

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Ward No. 8—*Mohalla Pansari Bazar*—(outside Gali Bhatyaran) (Alwar)

7	8	9	214-220	Nazim Hussain S/o Fazal Hussain	.	.	.	Six shops with residential houses on the second storey facing Pansari Bazar near Cinema House Hope Circus
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Ward No. 6—*Hope Circus* (Alwar)

10.	4, 4/1, 5, 5/1 & 6	Afzal Hussain	.	.	.	.	.	Two Double roomed shops in ground floor with a residential house on upper floor facing Hope Circus.
II.	7, 8, 9 & 10	Bari Malka Press	.	.	.	.	.	Two double roomed shops facing Hope Circus. One shop facing Town Hall. Residential house on the upper storey

Ward No. 3—*Bazaza Bazar* (Alwar)

12.	11	Alla Dia S/o Ram Dharuki	.	.	.	.	.	One pukka shop with Chabara double roomed facing Bazaza Bazar
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Ward No. 3—*Behind Zanana Hospital near Paiwala House* (Alwar) *Mohalla Dhakpuri*.

13.	12	Alla Din S/o Ram Dharuki	.	.	.	.	.	Pukka House.
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Ward No. 3—*Bazaza Bazar* (Alwar)

14.	8 & 9	Aziz-ud-Din and Nazir	.	.	.	.	.	Pukka shop with one Chabara facing Bazaza Bazar.
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Ward No. 4—*Bazaza Bazar Alwar*

15.	270 & 271	Sarfaraz Ali	.	.	.	.	.	Pukka shop with Chabara facing Bazaza Bazar, Main Market.
16.	272 & 273	Do.	.	.	.	.	.	Do.
17.	275	Nazir Kunjra	.	.	.	.	.	Shop opposite Zanana Hospital.
18.	274	Gutti Minhar	.	.	.	.	.	One shop with Chabara facing Bazaza Bazar near Malan ki Gali.
19.	268 & 269	Abdulla Contractor	.	.	.	.	.	One pukka shop and Chabara facing Bazaza Bazar Main Market.
20.	265	Qameer-ud-Din Sodagar	.	.	.	.	.	One pukka shop.

Ward No. 2—*Munshi Bazar* (Alwar)

21.	19 & 20	Bari Malka	.	.	.	.	.	Shop with Tin shed and a residential house on the upper storey.
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1	2	3	4
22.	16,17 & 18	Kala Khan Contractor . . . . .	Three shops, one tin-shed and one room on the upper storey facing Munshi Bazar.
<i>Ward No. 1—Malakhera Bazar (Alwar)</i>			
23	1 & 2	Chunda & Chuka Bhatyara S/20 Musa-Bhatyara . . . . .	Pukka shop with three roomed residential house with open veranda and latrine and courtyard on the first floor facing Malakhera Bazar.
24	4	Khair-ud-Din Black Smith . . . . .	One pukka shop with residential house on 1st floor facing Malakhera Bazar.
<i>Ward No. 1—Malakhera Bazar (Alwar)</i>			
25	5	Kala Khan . . . . .	One pukka shop with residential house on first floor with tin-shed facing Malakhera Bazar.
26	7	Abdul Aziz . . . . .	One Katcha shop with tin-shed facing Malakhera Bazar.
27	8, 9 & 10	Chutta Mohd. Nilgar . . . . .	Two pukka shops with residential accommodation on ground, first and second floors.
<i>Ward No. 6—Near Police Lines—Bas Raja ji ka (Opposite Lal Diggi) (Alwar)</i>			
28	275	Ibrahim Thanedar . . . . .	Double storeyed house with garden.
29	276	Master Abdul Rahim Beg] . . . . .	Double storeyed house with garden and independent well.
<i>Ward No. 7—Manu Marg. (Alwar)</i>			
30	12	B. Raza Hussain . . . . .	House with spacious lawns, independent well and garden.
31	13	Masawar Ali] . . . . .	House, with spacious lawns.
<i>Ward No. 6—Manu Marg (Alwar)</i>			
32	305	Noor Khan . . . . .	House with compound.
<i>Ward No. 3—Dhobi Parah (Alwar)</i>			
33	112—115	Hakim Suleman . . . . .	Four pukka houses.
34			
35			
36			
37			
38	116-17-18	Hakim Mohd. Mahmud. . . . .	Three pukka houses.
39			

## SCHEDULE II.

Serial No.	Custodians' No. of the property	Name of evictee owner	Description of the property
1	2	3	4

## Ward No. 1—(Alwar)

1	51	Yusuf Khan	Dilapidated house.
2	59	Abdulla Munihar	Do.
3	63	Gafoor	Do.
4	73	Bhona & Shadi Sakka	Do.
5	88	Karim S/o Rahim Bux	Do.
6	90	Olla Kasai	Do.
7	99	Ganga Alias Abdulla Mahavat	Do.
8	116	Not known	Do.
9	118	Mohd. Khan	Do.
10	126	Nasir & Gaffor Fakir	Do.
11	128	Aziz S/o Ismail	Do.
12	130	Manla, Tolan & Sudan	Do.
13	138	Asla Havadar	Do.
14	142	Masta Mistry	Do.
15	149	Not Known	Do.
16	207	General Fateh Nasim Khan	Do.
17	215	Faiz Khan	Do.
18	267	Not Known	Do.

## Ward No. 4—(Alwar)

19	1	Noor Mohd.	Do.
20	7	Karim Ilahi	Do.
21	9	Gafoor Kasai	Do.
22	16	Not Known	Do.
23	20	Allah Kasai	Do.
24	29	Lallu Cycle Wala	Do.
25	30	Kamalu Kasai	Do.
26	34	Abdulla Rejman	Do.
27	35	Rehman Ullah	Do.
28	36	Azim Ullah	Do.
29	40	Ali Mullah	Do.
30	41	Gulam Ali	Do.
31	42	Ghisa Kasai	Do.
32	43	Do.	Do.
33	52	Gafoor Shamsu Kasai	Do.
34	54	Mohd. Bashir	Do.
35	79	Munir Khan	Do.
36	82	Ibrahim Ferash	Do.
37	87	Chhota Kasai	Do.
38	123	Chamman Pathan	Do.
39	126	Not known	Do.
40	132	Munshi	Do.
41	143	Suslim Kasai	Do.
42	146	Shadi Nadaf	Do.
43	147	Do.	Do.
44	171	Kali Khan	Do.
45	173	Asa Khan Pathan	Do.
46	177	Gaffor Khan Pathan	Do.
47	196	Khuda Bux	Do.
48	201	Wazir Khan	Do.
49	202	Alladin	Do.
50	210	Mohammed	Do.
51	214	Usman Tailor	Do.
52	216	Mohd. Hussain	Do.

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*Ward No. 5 (Alwar)*

			Dilapidated house
53	51	Bashir	
54	53	Suleeman	Do.
55	88	Not known	Do.
56	108	Nazir	Do.
57	111	Afzul Begh	Do.
58	112	Do.	Do.
59	113	Do.	Do.
60	114	Do.	Do.
61	115	Do.	Do.
62	119	Alladin	Do.
63	131	Kale Khan Contractor	Do.
64	132	Sher Mohd.	Do.
65	145	Bahadur	Do.
66	156	Rahim Bux	Do.
67	158	Noor Bux	Do.
68	234	Chhajju	Do.
69	235	Natha	Do.
70	251	Abbaas Ali	Do.
71	254	Mohd. Ali	Do.
72	257	Shamsuddin	Do.
73	260	Bashkahar Ali	Do.
74	261	Farrand	Do.
75	262	Bashir	Do.
76	263	Faiz	Do.
77	264	Dildar Khan	Do.
78	271	Capt. Razak	Do.
79	283	Lila Nasim	Do.
80	285	Kohlia	Do.
81	286	Ramzan Sakka	Do.
82	288	Bhorey Khan	Do.
83	289	Wazira	Do.
84	290	Munshi Khan	Do.
85	294	Karim	Do.
86	304	Rahim Ali	Do.
87	305	Amir Khan	Do.
88	316	Rebrar Khan	Do.
89	317	Mustafa Ahmed	Do.
90	318	Ismail Taswala	Do.
91	319	Bhorey Khan	Do.
92	320	Bhorey Khan	Do.
93	323	Munna Tailor	Do.
94	334	Khurshid	Do.
95	337	Shaffi Nasir	Do.
96	342	Izim Patwari	Do.
97	343	Ganga Taffaf	Do.
98	349	Not known	Do.
99	350	Abdul Rehman	Do.
100	358	Bashir Allah	Do.
101	427	Not known	Do.
102	429	Do.	Do.
103	430	Do.	Do.

Ward No. 6 (Alwar)—

104 208 Abdul Kasai . . . . . Do. 105 224 Ibrahim . . . . . Do.

*Ward No. 8 (Alwar)—*

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*Ward No. 9.—*

109	183	Hazi Abdul Kasim	.	.	.	.	.	Dilapidated house.
110	250	Lal Mohd.	.	.	.	.	.	Do. 1
111	257	Lal Julaha	.	.	.	.	.	Do.
112	297	Bhorya Mochi	.	.	.	.	.	Do.

*Ward No. 9 (Alwar)—*

113	98	Sarfraz	.	.	.	.	.	Do.
114	103	Bashir	.	.	.	.	.	Do.
115	110	Khawaza Fakir	.	.	.	.	.	Do.
116	111	Mahboob	.	.	.	.	.	Do.
117	248	Hakku Julaha	.	.	.	.	.	Do.
118	261	Babu Hari Ali	.	.	.	.	.	Do.
119	262	Manea	.	.	.	.	.	Do.

[No. 10(25)SB/54.]

M. L. PURI, Under Secy

*New Delhi, the 3rd January 1955*

**S.R.O. 101.**—In pursuance of sub-section (1) of section 16 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby authorises the Custodian General of Evacuee Property to grant certificates under the said sub-section to the persons referred to in sub-rule (1) of rule 15B of the Administration of Evacuee Property (Central) Rules, 1950 in cases where the value of the property to be restored does not exceed ten thousand rupees.

[No. 1(9)/54-Prop.I.]

P. G. ZACHARIAH, Dy. Secy.

**MINISTRY OF LABOUR****CORRIGENDUM***New Delhi, the 27th December 1954*

**S.R.O. 102.**—In the notification of the Government of India in the Ministry of Labour No. S.R.O. 3306 dated the 22nd October, 1954, published at pages 2558 to 2573 of the Gazette of India, Part II—Section 3, dated the 30th October, 1954—

- (1) in clause (b) of paragraph 2, for "words" read "word";
- (2) in clause (b) of paragraph 3, omit the inverted commas before the word "payable" and insert inverted commas before the word "contribution";
- (3) in sub-paragraph (3) of paragraph 4, for "of" occurring after the words "shall be made in one" read "or";
- (4) in paragraph 6, before clause (a) insert "in respect of the person a Contribution Card—";
- (5) in line 1 of clause (a) of paragraph 6, read "commencing" for "commending";
- (6) in sub-paragraph (2) of paragraph 10, for "terminated" read "terminated";
- (7) in Schedule 'B' insert the following heading, namely:—  
"List of treasuries/sub-treasuries at which amounts may be deposited for being credited to the Fund";
- (8) in Form 'D(Revised)' under heading 'Summary of Contributions' under column '1st' insert "week";
- (9) at the end of Form 'I(Revised)' for "Ded" read "Dated"; and
- (10) at the end of Form 'P' for "Junior Labour Inspector" read "Junior Labour Inspector"

[No. P.F. 2(16)/51.]

A. NARAYANAN, Under Secy.

New Delhi, the 28th December 1954

**S.R.O. 103.**—In pursuance of section 8 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 331, dated the 19th January, 1954, namely:—

To the said notification, under the heading “[Elected by the Corporation under sub-clause (v) of clause (c) of section 8]”, the following item shall be added, namely:—

“(13) Shri Kamakhya Prasad Tripathi.”

[No. SS. 121(93).]

K. N. NAMBIAR, Under Secy.

New Delhi, the 29th December 1954

**S.R.O. 104.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the General Assurance Society, Limited, New Delhi, and their workmen.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

REFERENCE NO. 12 OF 1954.

PRESENT

Shri L. P. Dave, B.A., LL.B.,—Chairman.

PARTIES

The employers in relation to the General Assurance Society Limited, New Delhi.

Vs.

Their workmen.

APPEARANCES

Shri Sahib Ram and Shri D. P. Sharma.—For the management.

Shri R. N. Roy, Shri D. C. Gupta, Shri Madan Mohan. C/o General Assurance Employees' Union, 4805 Ram Bazar, Cloth Market, Delhi—6.—For the workmen.

AWARD

By Government of India, Ministry of Labour, notification No. LR.90(27)/54 dated 23rd September 1954, a dispute between the employers in relation to the General Assurance Society Limited, New Delhi, and their workmen in respect of the question whether the termination of the services of Shri Dharam Singh, Driver, General Assurance Society Limited, New Delhi, was justified and what relief and/or compensation, if any, should be paid to Shri Dharam Singh, was referred for adjudication to this Tribunal.

2. Usual notices were issued to the parties. The workmen filed its written statement Exhibit 3 contending that the act of the management in dismissing Shri Dharam Singh was wrongful, illegal, improper, and *malafide* and was a case of victimisation. They therefore claimed that Shri Dharam Singh should be reinstated with payment of arrears of pay throughout. The management denied the allegations of the workmen and contended that Shri Dharam Singh was not an employee of the management. They also urged that his discharge was justified and that he was not entitled to reinstatement or any relief.

3. At the hearing, the parties produced a memorandum of settlement arrived at between them. Thereunder the claim for Shri Dharam Singh's reinstatement is not pressed. On the other hand, he has to be paid (and has been given a cheque for) Rs. 1351 (rupees one thousand three hundred and fiftyone) in full satisfaction of his claim against the Society including pay up-to-date notice pay, bonus, retrenchment relief etc. In addition to this amount, he is to get the amount of provident fund lying to his credit and he would also get gratuity if the Society has any rules for the same and if under the rules he is entitled to the gratuity. In my opinion, the compromise is fair and reasonable.

4. I therefore pass an award in terms of the compromise, a copy of which is attached herewith.

(Sd.) L. P. DAVE, Chairman.

The 22nd December 1954.

Central Govt. Industrial Tribunal,  
Dhanbad.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
AT DHANBAD

REFERENCE No. 12 OF 1954

## PARTIES

Employers in relation to the General Assurance Society Ltd. New Delhi.  
Vs.

Their workmen.

## MEMORANDUM OF SETTLEMENT

The parties have entered into compromise as under:—

1. Shri Dharam Singh, Driver, is deemed to have been on duty till today and is also deemed to have been given a notice of retrenchment terminating a month from today. In view of this, the workmen do not press for his reinstatement.

2. Shri Dharam Singh is to be paid a sum of Rs. 1851 (rupees one thousand and three hundred and fiftyone) only in full satisfaction of all his claims against the Society including pay up to date, notice pay, bonus, retrenchment relief, etc. except that if the Society has any rules of gratuity in force on 21st December, 1954 and if thereunder Shri Dharam Singh is entitled to any gratuity, the Society will pay the same to him, in addition to the above amount of Rs. 1351. The amount of Provident Fund lying to the credit of Shri Dharam Singh including the Society's contribution will also be paid to him in addition to the above amount.

3. A cheque of Rs. 1351 (rupees one thousand and three hundred and fiftyone) has been handed over today to Shri Dharam Singh by the Society.

It is requested that an award in terms of the above compromise may please be passed.

NEW DELHI;  
The 22nd December 1954.(Sd.) SAHIB RAM, Divl. Manager,  
For General Assoc. Society Ltd.

(Sd.) D. P. SHARMA, Branch Manager.

For and on behalf of the workmen of General Assurance Society Ltd.

(Sd.) RAVINDRA NATH ROY, President,  
General Assurance Employees' Union.(Sd.) DHARAM SINGH.  
(in Hindi).(Sd.) DEWAN C. GUPTA, Secretary,  
General Assurance Employees' Union, Delhi.

(Sd.) MOHAN, Jt. Secy., Insurance Employees Federation.

[No. LR.90(27)/54.]

New Delhi, the 30th December 1954

**S.R.O. 105.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal, (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri Subal Chandra Saha, a workman of the Ghusick and Muslia Collieries Ltd.ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES), CALCUTTA  
In the matter of applications under Section 33 and 33A of the Industrial Disputes Act, 1947

## PRESENT.

Shri J. N. Majumdar—Chairman.

Shri H. R. Batheja—Member.

Shri S. P. Chopra—Member.

## PARTIES

## 1. APPLICATION NO. 356 OF 1954 U/S 33

Ghusick & Muslia Collieries Ltd., Ghusick, P.O. Kalipahari, Dist. Burdwan—  
Applicant.

Vs.

Subal Chandra Saha, Kalipahari Colliery Quarters, P.O. Kalipahari, Dist. Burdwan—Opposite Party.

AND

## 2. APPLICATION NO. 232 OF 1954 U/S 33A

Subal Chandra Saha—Complainant.

Vs.

Ghusick & Muslia Collieries Ltd.—Opposite Party.

## APPEARANCES

Shri B. Bhattacharjee, P.A. to the Agent—For the Company.

Shri J. Pandey, Vice-President, Colliery Mazdoor Union—For the Workman.

## DECISION

(Dated the 16th day of December, 1954.)

Application No. 356 of 1954 is an application by Messrs. Ghusick & Muslia Collieries Ltd., under section 33 of the Industrial Disputes Act, 1947 for permission to dismiss one Subal Chandra Saha, who was a Pay Clerk in their employ. Application No. 232 of 1954 is a complaint under section 33A of the Industrial Disputes Act, 1947 by that workman against the Company. By consent of parties the applications were taken up together.

## 2. The facts are as follows:—

Subal Chandra Saha was a Pay Clerk attached to the Kalipahari Colliery belonging to the Company. On 24th June, 1954, he was transferred to work as a Clerk in the Bonus and Provident Fund Section at the Central Office in Ghusick. He was advised to relinquish charge as Pay Clerk of Kalipahari Colliery prior to his report for duty at the Central Office. The workman did not like the transfer and wanted to continue as Pay Clerk in the Colliery. The workman sent a letter to the Manager, Kalipahari Colliery on 28th June, 1954, reporting himself to be sick. The Company's Medical Officer examined him on 2nd July, 1954, and reported that he was fit to join duty. The workman not having joined, he was charge-sheeted on 7th July, 1954, to show cause why disciplinary action should not be taken under Rule 27(1) of the Standing Orders for the Coal Mining Industry. With his explanation dated 9th July, 1954, he attached a Medical Certificate from a doctor other than the Company's Medical Officer. The doctor stated that the workman was having a slight attack of Bronchitis and was under his treatment since 30th June, 1954, and that he required rest for a week. This certificate is also dated 9th July, 1954. The workman sent a second medical certificate by the same doctor on 11th July, 1954, in which the doctor stated that the workman was fit to resume his duties. The workman did not join duty on 11th July, 1954, also. In the meantime, a dispute on the question of this transfer was raised by the Chief Organising Officer, Khani Sramik Panchayat, before the Conciliation Officer, at Asansol, who by his letter dated 8th July, requested the Company to maintain *status-quo* till the investigation was completed. The company, however, issued a second charge-sheet on the workman's failure to join his duty on 11th July, 1954, which reads as follows:—

“Even according to your own application though you are quite fit to resume your duties, you are deliberately disobeying my orders to join work in the P.F. Section of the Central Office and as such you are charged for wilful insubordination and disobedience under section 27(1) of the Standing Orders for the Coal Mining Industry.”

In his explanation submitted on 16th July, 1954, he mentioned about the pendency of this question before the Conciliation Officer and wanted that *status-quo* should be maintained. The Company informed the workman that the first charge was not pressed and he was granted leave upto 10th July, 1954, after which he was

required to join. They also started correspondence with the Conciliation Officer, who, by his letter dated 31st July, 1954, informed the Company that the steps taken by them in their order of transfer was correct. On 2nd August, 1954, the Acting Agent of the Company held an enquiry and found the explanation unsatisfactory and held that the workman's refusal to join the Central Office amounted to insubordination and disobedience and as such, he was liable to be dismissed after obtaining the permission of this Tribunal.

3. From the evidence it is obvious that the workman was not willing to join the Central Office on some pretext or other. In course of argument Shri Pandey, appearing on behalf of the workman, conceded that the Company was perfectly competent and within its rights to transfer the workman from the Kalipahari Colliery to the Central Office, but tried to make out a new case that, when he went to resume his duties on 12th July, 1954, he was refused permission to join work.

4. It seems that he had gone to the Colliery to file a letter with the management stating that he should not be transferred. Shri Pandey referred to a number of letters written by the workman for his retention in the Kalipahari Colliery and argued that the workman wanted to report for duty at the Kalipahari Colliery in order to hand over charge before going to the Central Office. It is obviously an after-thought and is not borne out by the evidence of the case. There is no mention of it in the written statement of the workman. We are satisfied from the evidence that he was not inclined to go to the Central Office and was prepared to go to any length to avoid it. There is no denial of the allegations by the Company that by the transfer the conditions of his service were not changed.

5. In these circumstances we are satisfied that a *prima facie* case has been made out against the workman for dismissal and we grant the permission accordingly. As there has been no contravention of section 33, no application under section 33A is maintainable and as such, it is dismissed.

(Sd.) J. N. MAJUMDAR, Chairman.

(Sd.) H. R. BATHEJA, Member.

(Sd.) S. P. CHOPRA, Member.

[No. LR-2(107)/54.]

P. S. EASWARAN, Under Secy

New Delhi, the 31st December 1954

**S.R.O. 106.**—Whereas the Central Government is satisfied that public interest requires the extension of the period specified in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2314, dated the 2nd July 1954, declaring the coal industry so far as it is concerned with the production and supply of coal and coke to be a public utility service;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, (XIV of 1947), the Central Government hereby declares the coal industry so far as it is concerned with the production and supply of coal and coke, to be a public utility service for the purposes of the said Act for a further period of six months commencing from the 14th January 1955

[No. LR. 1(32)]

N. C. KUPPUSWAMI, Dy. Secy.

New Delhi, the 3rd January 1955

**S.R.O. 107.**—In exercise of the powers conferred by clause (1) of regulation 29 of the Indian Coal Mines Regulations, 1926, the Central Government hereby reappoints Shri B. H. Engineer as a member of the Board of Examiners Constituted under the said regulation, for a term of three years with effect from the 4th January, 1955.

[No. M-43(1)54]

*New Delhi, the 8th January 1955*

**S.R.O. 108.**—The following draft of a further amendment to the Coal Mines Labour Welfare Fund Rules, 1949, which it is proposed to make in exercise of the powers conferred by section 10 of the Coal Mines Labour Welfare Fund Act, 1947 (XXXII of 1947), is published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 31st January 1955.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

*Draft amendment*

In rule 9 of the said Rules—

(a) Substitute the following for item (b)

*In respect of journey by rail.*—Single first class fare plus an allowance for incidental expenses at a flat rate of 12 pies per mile, where first class accommodation is available. Where first class accommodation is not available on the particular train or railway line by which he travels, the member will have the option to travel in air-conditioned accommodation, by paying from his own pocket, the difference between the fares for the air-conditioned and first class accommodation and where he does not exercise this option, he will be entitled to single fare for the highest class of accommodation, excluding air-conditioned accommodation, actually provided on the particular train or railway line plus an allowance for incidental expenses at a flat rate of 12 pies per mile.

(b) the existing note shall be numbered as "Note. 1" and after Note. 1 as so numbered, the following note shall be added, namely:—

"NOTE 2.—Members may in their discretion travel by air."

[No. M-5(3)54.]

A. P. VEERA RAGHAVAN, Under Secy.